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REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS MISSION IN BOSNIA AND HERZEGOVINA

I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 28 of Security Council resolution 1088 (1996) of 12 December 1996. It summarizes the activities of the United Nations Mission in Bosnia and Herzegovina (UNMIBH) from the time of my last report of 8 September 1997 (S/1997/694) to 1 December 1997. The report also provides an overview of the activities of the United Nations system in Bosnia and Herzegovina during the same period.

2. UNMIBH continues to be led by my Special Representative and Coordinator of United Nations Operations in Bosnia and Herzegovina, Mr. Kai Eide (Norway). He is assisted by Mr. Manfred Seitner (Denmark), who serves as the Commissioner of the United Nations International Police Task Force (IPTF).

II. ACTIVITIES OF THE MISSION

International Police Task Force

3. The authorized strength of IPTF remains at 2,027, as provided for by the Security Council in its resolutions 1103 (1997) of 31 March 1997, relating to the implementation of the Brčko Arbitration Award, and 1107 (1997) of 16 May 1997, relating to the additional tasks assigned by the London Conference of the Peace Implementation Council of 4 and 5 December 1996. On 1 December, IPTF had a strength of 2,004 monitors from 40 different countries (see annex). Following a review of the Task Force's management structure, it was decided to eliminate one administrative layer and to consolidate the district offices into the seven regional offices. Accordingly, all 64 IPTF stations now report directly to one of the regional offices. As a result, fewer IPTF officers are employed at headquarters and more on the ground across the country. On 1 October, the IPTF Training Unit, which had been based in Zagreb with other mission support functions, transferred its operations to Sarajevo in order to facilitate efficient internal training. The leadership of UNMIBH continues to look into ways to make its operations even more efficient.

4. The Mission suffered a tragic setback on 17 September when a helicopter under contract to the United Nations crashed while on mission in central Bosnia. Among the 12 passengers who lost their lives in that accident was the Deputy IPTF Commissioner responsible for the police restructuring. Despite this loss, IPTF has continued to make progress in police restructuring. Following the constitutional split in the Republika Srpska between the President based in Banja Luka and the Government based in Pale, my Special Representative and the IPTF Commissioner reached an agreement on 24 September when President Biljana Plavšić (in Banja Luka) and Prime Minister Kličković (in Pale) both accepted the UNMIBH principles of police restructuring in the Republika Srpska, according to which the police in the Republika Srpska are being reduced and restructured to operate in accordance with internationally recognized standards and with respect for internationally recognized human rights and fundamental freedoms.

5. Progress has also been made in implementing the agreement between my Special Representative and the Commander of the Stabilization Force (SFOR) on the Republika Srpska's "special police", described in my previous report (see S/1997/694, paras. 8 and 9). The paramilitary forces subject to controls imposed by SFOR in accordance with annex 1A of the General Framework Agreement for Peace in Bosnia and Herzegovina (see A/50/790-S/1995/999) are being disbanded. IPTF and SFOR have formed a working group with representatives of the Republika Srpska Ministry of the Interior to coordinate the transition of suitable officers from the special police to the regular civilian police. By 17 November, all 104 officers of the special police in Doboj had been given application forms for re-certification and had completed an initial one-day course as a preliminary step towards restructuring. Remaining units of the "special police" will be re-certified as a distinct element in the restructuring process of police in other municipalities of the Republika Srpska. New departments are being established in the Ministry of Internal Affairs to take responsibility for counter-terrorism, border control, organized crime prevention, VIP protection and crowd control.

6. Police restructuring in the Federation has maintained its rate of progress. Seven of the Federation's 10 cantons have now largely completed the process of restructuring. In all municipalities of the ethnically mixed Neretva and Central Bosnia Cantons, Bosniac and Croat police officers are patrolling together. There is still a need, however, to fill the posts allocated to Serbs and "others". It has also not yet proved possible to solve a small number of remaining problems, such as uniform insignias, mainly because of Croat intransigence. Negotiations concerning the division of authority in the remaining three cantons between the cantonal ministers of the interior (of the majority group) and their deputies (from the minority) are advancing.

7. Officials in the Federation Ministry of the Interior have completed the process of certification. However, deadlock concerning the distribution of responsibilities between the Minister and his Deputy and also the co-location of the Ministry and the Agency for Investigation and Documentation has prevented the inauguration of the Federation Ministry for several months, mainly because of Bosniac intransigence.

8. IPTF has continued the training of police to operate according to the principles of democratic policing. Of the some 11,500 police officers in the Federation, 6,822 have completed a two-day "information" course that explains the IPTF restructuring process and its aims. In addition, 5,705 officers have completed a one-week "human dignity" course, which gives them a modern view of the role of the police officer in a democratic society. Further, 648 officers have completed a three-week "transition" course, which is a condensed version of a police academy course and focuses on basic police skills. In the Republika Srpska, some 2,955 of an anticipated 8,500 police officers have completed the information course and 900 the human dignity course. The transition course is scheduled to begin there in January 1998.

9. In conjunction with training, IPTF now assists the local police in rehabilitating and developing proper police academies. Alongside an ongoing project in the Federation, IPTF is developing plans to set up a six-month police curriculum in the Republika Srpska, to fund a library and training course for teachers in a European capital and to rehabilitate the Republika Srpska Police Academy's facilities.

10. Improved cooperation between IPTF and the local police in both entities has facilitated implementation of the checkpoint policy (see S/1997/468, para. 5). By August, the number of checkpoints approved had already dropped from over 300 per day to 15. Now, an average of only 10 checkpoints are permitted each day in both entities. Since the policy was introduced in May 1997, SFOR has cooperated in removing 34 of the 119 illegal checkpoints that have been removed. The reduction in checkpoints has helped to improve freedom of movement within and between entities. That reduction, however, can only be one element of a broader strategy to promote freedom of movement. A major step forward will be the adoption and implementation of a common licence plate by 31 December 1997, as mandated by the Ministerial Meeting of the Steering Board of the Peace Implementation Council, held at Sintra, Portugal, on 30 May 1997 (see S/1997/434, annex).

11. Since August, IPTF has embarked, in cooperation with SFOR, on an assertive programme of weapons inspections in local police stations to ensure that local police maintain only the equipment they need to police their areas, that is, one long-barrelled rifle for every 10 officers and one side arm for each officer. A total of 563 weapons inspections were carried out between 20 August and 30 November. Illegal weapons were found in 121 cases: 49 in the Republika Srpska and 72 in the Federation. Among the items confiscated were 295 pistols, 3,509 long-barrelled weapons, 25 grenade- and rocket-launchers, 1,351 grenades and over 504,000 rounds of ammunition.

12. IPTF cooperated closely with the Organization for Security and Cooperation in Europe (OSCE) and SFOR in the implementation of the municipal elections held on 13 and 14 September and the elections for the Republika Srpska Assembly on 22 and 23 November. The endorsement of authorities in the Federation and the Republika Srpska for the election security plan was secured in advance of voting. On election day, IPTF and SFOR monitored the movement of voters across the inter-entity boundary line and within the Federation. The local police generally maintained public order without difficulty. After the results of the municipal elections were announced, IPTF worked with OSCE and local authorities

to develop security plans for inaugural sessions of the municipal assemblies. However, as at 1 December, only 15 of 136 municipal administrations had fulfilled the conditions to be recommended for final certification by OSCE and 9 municipalities had not yet met at all.

Related activities

13. To implement its mandate, IPTF relies on the other divisions of UNMIBH for support and cooperation. In this connection, Civil Affairs officers have continued to provide advice and support to IPTF in the field, as well as political services to the Mission as a whole.

14. During the municipal elections in September and the Republika Srpska Assembly elections in November, Civil Affairs officers in the field cooperated closely with IPTF and SFOR in finding solutions to numerous delays and difficulties encountered during voting, thus mitigating situations of tension that could have escalated into serious breakdowns of law and order. Civil Affairs remains active regionally and nationally in the implementation of the results of the municipal elections.

15. Civil Affairs has also worked closely with the Office of the High Representative in developing the operational plan for the introduction of a common licence plate for Bosnia and Herzegovina. In Brčko, Civil Affairs has assisted in the preparation of orders issued by the Supervisor concerning the establishment of a multiethnic police force. Throughout the country, Civil Affairs is promoting inter-community confidence-building activities.

16. The structure and working procedures of the UNMIBH Human Rights Office were finalized in October. The Office consists of 120 IPTF monitors and 10 civilian staff, deployed in the seven regional units, with at least one human rights monitor per IPTF station. A small headquarters team ensures overall coordination. The Office works closely with the Office of the United Nations High Commissioner for Human Rights (UNHCHR) and the two coordinate their activities with those of other agencies with a human rights mandate, primarily through the Human Rights Coordination Centre at the Office of the High Representative.

17. The main function of the Human Rights Office is to carry out IPTF investigations into human rights violations by law enforcement agencies. Following the major investigation into the Croat police response to acts of intimidation against Bosniac returnees to the Jajce municipality in August 1997 (see S/1997/694, para. 17), the Chief and Deputy Chief of Police of Jajce were removed from their positions and disciplinary proceedings against them and eight other officers are in progress.

18. The UNMIBH Legal Office has cooperated with the Council of Europe and other international bodies to reform the Criminal Code and the Law on Criminal Procedure of the Federation. The work has focused mainly on criminal procedures affecting police activity, but has also touched on procedures in criminal courts.

19. In order to promote the broadcast of United Nations radio programmes in Bosnia and Herzegovina, the UNMIBH Office of Press and Information has cooperated with Bosnian student organizations to facilitate the establishment of an independent radio station in Sarajevo with financial assistance from the European Union, OSCE and a number of national Governments. The Office is also cooperating with local non-governmental organizations in Banja Luka to establish an independent radio station there. The two stations plan to cooperate in the exchange of programmes and in broadcasting on a single frequency over much of the country. In addition to promoting United Nations activities, UNMIBH is a member of the Media Support Advisory Group, which is the main executive body established by the High Representative to enforce decisions on media issues.

20. The Trust Fund Unit has been active in helping restore specialized medical services in Sarajevo. It is currently seeking to expand the terms of reference of the quick impact fund to allow the funding of projects that address gaps in the social infrastructure in Sarajevo.

Mine Action Centre

21. The Mine Action Centre now has 120 trained deminers in Banja Luka, Tuzla and Mostar, as well as 40 in Bihać, where they operate under the terms of a contract between UNMIBH and a non-governmental organization, Handicap International. Currently there are about 750 trained civilian deminers in Bosnia and Herzegovina working on programmes funded by the European Commission, Norwegian People's Aid, the Mine Action Centre and the World Bank. The Mine Action Centre itself has completed 23 emergency demining tasks. The total area surveyed and cleared and reported to the Mine Action Centre in 1997 by all organizations participating in demining programmes up to 30 November was about 5 square kilometres.

22. The Mine Action Centre's minefield database now holds details of 18,027 records of mined areas. Existing information is being verified and transferred onto detailed maps to be made available to mine-clearance teams from various demining organizations. New information is being added continuously.

23. On 15 October 1997, a Memorandum of Understanding on the United Nations Mine-Action Plan was signed by the United Nations and the Council of Ministers of Bosnia and Herzegovina. The Agreed Principles for Demining after 1 January 1998 were signed by the Council of Ministers on 30 October. Detailed discussions between the Bosnia and Herzegovina Commission for Demining, the entity Governments and the Board of Donors, co-chaired by UNMIBH and the Office of the High Representative, are now under way in order to reach agreement on the administrative arrangements for the Bosnia and Herzegovina mine action centre and the entity mine action centres, thus completing the establishment of demining structures in the country by 31 December, as foreseen in the conclusions of the London Conference in December 1996. The United Nations Development Programme (UNDP) has developed, for signature by the Government of Bosnia and Herzegovina, a project document under which it will provide technical and financial assistance to the Government for the implementation of the Mine-Action Plan in 1998.

III. ACTIVITIES OF THE UNITED NATIONS SYSTEM

Office of the United Nations High Commissioner for Human Rights

24. The Office of the United Nations High Commissioner for Human Rights has continued to support the mandate of the Special Rapporteur by keeping her informed of relevant developments and intervening with local authorities on her behalf. It also continued efforts to reform the judicial system of Bosnia and Herzegovina. Activities in this field have included conducting and coordinating trial monitoring activities; providing human rights expertise to the expert team for criminal justice reform; supporting a project on a judicial training institute; and conducting a project to provide suspects with lawyers familiar with international human rights law. In addition, the Office has continued to monitor the procedure for the appointment of judges, in particular in the Federation, to assess its consistency with relevant human rights standards.

United Nations Children's Fund

25. The United Nations Children's Fund (UNICEF) has continued to focus on projects in health and education. In the health sector, UNICEF concentrates mainly on the training of professionals. In the field of education, UNICEF has extended its mine-awareness project to the Republika Srpska and initiated training for social workers on the development of social services for children. For the first time, sectoral authorities and technical experts from both entities sat together at a UNICEF mid-term review of activities to evaluate achievements in child services, analyse strategies and propose components for a future programme. The ministers of health from both entities co-chaired the meeting.

United Nations Development Programme

26. The United Nations Development Programme (UNDP) continued to expand its activities within its country cooperation framework, focusing primarily on multisectoral area-based development programmes supported by selected national sectoral projects and assistance to policy development. The purpose of the integrated programmes is to combine the rehabilitation of shelters and of the social infrastructure with community development efforts to promote social cohesion in order to create an environment that will facilitate the smooth reintegration of returning refugees and displaced persons into the population.

27. UNDP has begun preparing a new project phase for the demining programme for Bosnia and Herzegovina that will be financed through the contributions of donors to a trust fund managed by UNDP. The project aims to assist in the transfer of the main responsibility for the Mine-Action Plan to the national and entity-level Governments.

World Food Programme

28. The World Food Programme (WFP) has completed its re-categorization process of beneficiaries in Bosnia and Herzegovina. The number of beneficiaries currently receiving WFP-channelled food aid is 586,518 and will remain constant throughout the winter months. Between the spring of 1998 and the last quarter

of 1998, there will be a further gradual reduction in the number of beneficiaries. The focus of WFP support to small-scale, short-term rehabilitation activities has intensified in the transition away from direct relief aid.

Office of the United Nations High Commissioner for Refugees

29. The Office of the United Nations High Commissioner for Refugees (UNHCR) has continued its efforts to implement Annex 7 of the Dayton Agreement. It is estimated that, since the beginning of the year, some 150,000 refugees and displaced people have returned to their homes in Bosnia and Herzegovina, 100,000 of them from countries of asylum.

30. The development of the Open City initiative was pursued with vigour during the period and UNHCR has recognized six open cities during 1997: Konjic, Busovača, Vogošća, Bihać, Goražde and Kakanj. These communities, where willingness to accept minority return has been demonstrated, are to be immediately supported with international assistance.

31. Close cooperation with UNDP and the Mine Action Centre has led to the development of a joint demining strategy that should result in a more focused approach to demining in returnee areas, particularly in open cities, in 1998. Because job creation is expected to play a key role in the reduction of unemployment and the facilitation of permanent return and reintegration, UNHCR is cooperating closely with the World Bank local initiatives project.

32. During the reporting period, repatriation assistance (shelter and transport) continued to be provided throughout Bosnia and Herzegovina and targeted assistance was provided to extremely vulnerable individuals (the elderly, the handicapped and orphans) and residents of collective centres.

International Labour Organization

33. The activities of the International Labour Organization (ILO) have focused on three initiatives: opening of a training centre for adults in the Unsko-Sanski Canton, concentrating on training the most vulnerable unemployed labourers in construction trades; implementation of activities for training unskilled and semi-skilled unemployed workers of the Goražde Canton in electrical trades; and inauguration of a business development centre in the Brčko area, which aims to promote the development of micro-enterprises.

Food and Agriculture Organization of the United Nations

34. The Food and Agriculture Organization of the United Nations (FAO) continues to address emergency needs in the agricultural sector in Bosnia and Herzegovina. Services currently provided include needs assessment; data collection and processing; coordination and liaison; input supply; project identification, preparation, implementation and assessment; technical assistance and capacity-building; specialized seed production; seed quality control; and inter-entity exchange of agricultural interventions.

United Nations Educational, Scientific and Cultural Organization

35. In the field of education, the United Nations Educational, Scientific and Cultural Organization (UNESCO) has concentrated its activities on a UNDP-financed project to enhance administration and planning capacity in the Central Bosnia Canton and the Federal Ministry of Education and Culture; the preparation of school projects and completion of the work on a primary school in Žegar (Bihać); and the drafting of a comprehensive report on school reconstruction in both entities. In its programmes on cultural heritage, UNESCO continues to devote special attention to Mostar and is nearing completion of the restoration of the minaret of the historic Čejvan Čehaja mosque. UNESCO has also cooperated with IPTF on the protection of sacral buildings in Canton 10, following the bombing of the historic mosque in Tomislavgrad.

World Health Organization

36. The last quarter has seen an increase in participation in inter-entity health activities, focusing mainly on training, under the WHO Peace Through Health project.

37. There remain several causes for concern in the health sector. Refusal of services to minorities in the Republika Srpska is widely reported and there are similar reports from divided communities of the Federation, such as Mostar. It is the WHO position that basic health standards must be held above all political objectives.

World Bank

38. The World Bank's mission in Bosnia and Herzegovina continues to implement the economic reconstruction programme approved at the Brussels conference in December 1995. The Bank is also helping Bosnia and Herzegovina to introduce reforms in the economic system to put economic growth on a sustained basis and to speed up the transition to a market economy. A total of $408 million in World Bank funds has been mobilized to date for 18 specific projects and a fund of $150 million is being managed by the World Bank to co-finance the projects, bringing the value of the projects prepared by the World Bank and now in the implementation phase to nearly $1.5 billion. At the end of September 1997, contracts signed using World Bank-administered funds totalled 2,184, for a value of $320 million.

39. The Bank has been able to mobilize substantial resources to rebuild houses in the UNHCR target zones and to implement job-creation programmes and other schemes for infrastructure development. The World Bank and UNDP have closely coordinated their programmes, resulting in excellent leverage of UNDP efforts and a particularly valuable contribution by UNDP to the World Bank-led reconstruction efforts.

International Tribunal for the Former Yugoslavia

40. The Sarajevo Field Office, one of the three field offices established by the International Tribunal for the Former Yugoslavia, is an extension of the Investigations Section of the Prosecutor's Office in The Hague. As the link

between the Office of the Prosecutor, local authorities and international bodies, the Office has as one of its mandates the investigation of war crimes within Bosnia and Herzegovina. In the past two months, the activity of the Tribunal has increased, owing mainly to the commencement of a new trial involving a high-ranking Croat army official and the arrest and detention of 10 Croat indictees.

IV. OBSERVATIONS

41. The period under review has seen progress towards implementing the General Framework Agreement, much of it in areas of immediate concern to the UNMIBH operation: the inauguration of joint Bosniac-Croat police forces in the two mixed cantons of the Federation; the initiation of a comprehensive police restructuring programme in the Republika Srpska; and the appointment of a multi-ethnic police leadership in the contested city of Brčko. This progress is in its early stages and still fragile, however, and will require the Mission's continued engagement in developing the capacity for policing according to internationally acceptable standards. Building the capacity of the local police and of each entity's ministry of the interior is an important component in the broader strategy of consolidating a self-sustaining peace in Bosnia and Herzegovina.

42. Police restructuring has to be accompanied by reform of the judicial system in general and the present mandate of IPTF includes the monitoring, observation and inspection not only of law enforcement activities and facilities, but also of associated judicial organizations, structures and proceedings. UNMIBH, the Council of Europe and the Office of the High Representative have been cooperating in efforts to reform the criminal procedure of the Federation. However, a wider range of activities related to the reform of the judicial system in both entities has not yet been possible owing to a lack of resources and qualified personnel. I have suggested to the High Representative and the members of the Steering Board of the Peace Implementation Council that UNMIBH work with the Council of Europe, OSCE and other organizations to expand its operations to ensure that international efforts to reform the judicial and penal systems advance in tandem with efforts aimed at the local police forces. It is clear that reforming the police, the judicial system and the prisons must be addressed in an integrated way if a law and order environment that is fair and non-discriminatory is to be created.

43. Another area that deserves increased attention is the loss of revenue to the State through economic crimes that, furthermore, benefit mainly forces opposed to the peace process. Investigations by the European Commission have highlighted the extent of financial crime, smuggling and other illicit operations in Bosnia and Herzegovina. The links between such activities and the political, police and judicial structures in the three communities have been documented and are at present the subject of public debate in the country. As part of a wider effort to bring about greater professionalism and transparency to public service, IPTF intends to work with ministries in both entities to improve their capacity to identify, and deal with, financial crime, which corrupts public institutions. UNMIBH is ready to begin training entity police forces in the detection of financial crime, smuggling and corruption, and to

assist in setting up special anti-corruption units. The close IPTF monitoring of police activities will also extend to this area of law enforcement. I have informed the High Representative and the members of the Steering Board of the Peace Implementation Council of my views on this matter.

44. In order to carry out the tasks related to judicial reform and economic crime suggested above, UNMIBH will require an increase in human and financial resources. A number of experts in financial crime, smuggling and corruption will be required to form two training teams to work with the entities. Additionally, experts in criminal justice reform, as well as experts in the development of modern judiciary and penal systems will be required. UNMIBH will look into ways of adapting the present structure of IPTF to focus its work in these areas in an adequate manner, as was done in the human rights sector.

45. After two years of experience with the complex arrangements of the General Framework Agreement, and UNMIBH's role as defined in Annex 11 of the Agreement, the distribution of responsibilities, in particular between UNMIBH and SFOR, has been clear and efficient. Thanks to the strong and consistent support of SFOR, the unarmed IPTF monitors have been able to carry out the UNMIBH mandate in an effective manner. Much has been achieved, but much also remains to be done. The United Nations is ready to continue to play its part and I therefore recommend an extension of the UNMIBH mandate for a further 12 months. I have to note, however, that the presence of IPTF monitors is contingent on the existence of adequate security arrangements, which, at present, can only be secured by a credible international military force.

46. I would like to pay tribute to the men and women of UNMIBH who have carried out their important mission in a courageous and effective manner. Special honour is due to the 12 men and women of IPTF and the Office of the High Representative who died in a helicopter crash while carrying out their duties.

47. Mr. Kai Eide, my Special Representative, has been a dynamic and inspiring leader of the Mission and I express my deep gratitude to him. The Security Council has already been informed that Mr. Eide will return to the service of his Government on 15 January 1998 and that I have decided to appoint Ms. Elisabeth Rehn to succeed him.

Annex

Composition of the International Police Task Force as at 1 December 1997[a]

Argentina	43
Austria	39
Bangladesh	31
Bulgaria	33
Canada	30
Chile	31
Denmark	39
Egypt	34
Estonia	9
Finland	23
France	137
Germany	166
Ghana	86
Greece	13
Hungary	36
India	143
Indonesia	18
Iceland	3
Ireland	35
Italy	23
Jordan	156
Malaysia	46
Nepal	43
Netherlands	55
Nigeria	19
Norway	24
Pakistan	95
Poland	40
Portugal	60
Russian Federation	36
Senegal	32
Spain	54
Sweden	50
Switzerland	4
Thailand	3
Tunisia	3
Turkey	27
Ukraine	36
United Kingdom of Great Britain and Northern Ireland	60
United States of America	189
Total	2 004

[a] The number of civilian police monitors may vary owing to rotations.

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